

ESTTA Tracking number: **ESTTA454823**

Filing date: **02/06/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91197014
Party	Plaintiff Big Creek Expeditions, Inc., Nantahala Outdoor Center, Inc., Outdoor Adventures, Inc., Smoky Mountain Outdoors Unlimited, Inc., Rapid Expeditions, LLC
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Submission	Other Motions/Papers
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Date	02/06/2012
Attachments	00267549.PDF (3 pages)(93343 bytes)

In the Matter of Application Serial No. 85/019,492
Mark: RAFTING IN THE SMOKIES
Published in the *Official Gazette* on September 21, 2010

Commissioner for Trademarks
Trademark Trial and Appeal Board
P. O. Box 1451
Alexandria, VA 22313-1451

Now comes Opposers Big Creek Expeditions, Inc. (“Big Creek”) and Outdoor Adventures, Inc. (“Outdoor Adventures”), by and through the undersigned counsel, and hereby give notice to this Board that Big Creek and Outdoor Adventures have each entered into Settlement Agreements with the Applicant, RITS, LLC, related to this Opposition. Pursuant to each of the Settlement Agreements between Big Creek and RITS, LLC and between Outdoor Adventures and RITS, LLC, and in accordance with 37 C.F.R. § 2.106(c) and TTAB Manual of Procedure § 601.01, Big Creek and Outdoor

Adventures each hereby withdraw with prejudice their opposition to the Application Serial No. 85/019,492 filed by RITS, LLC.

The position of the other Opposers in this action—namely, Nantahala Outdoor Center, Inc. (“NOC”) and Smoky Mountain Outdoors Unlimited, Inc. (“Smoky Mountain Outdoors”)—is not altered. Both NOC and Smoky Mountain Outdoors remain as parties to the above-referenced Opposition Proceeding.

Respectfully submitted,

s/Jacob G. Horton/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this MOTION TO WITHDRAW BY OPPOSERS BIG CREEK EXPEDITIONS, INC. AND OUTDOOR ADVENTURES, INC. has been served on counsel of record at the following addresses by First Class Mail on the 6th day of February, 2012.

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